

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

FINJAN LLC, a Delaware Limited Liability  
Company,  
  
Plaintiff,  
  
v.  
  
SONICWALL INC., a Delaware Corporation,  
  
Defendant.

Case No. 5:17-cv-04467-BLF (VKD)

**[PROPOSED] ORDER GRANTING  
FINJAN LLC'S OMNIBUS  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Case No. 5:17-cv-04467 BLF (VKD)  
[PROPOSED] ORDER GRANTING FINJAN  
ADMIN. MOTION TO FILE UNDER SEAL

Plaintiff Finjan LLC's Omnibus Administrative Motion to File Under Seal portions of Finjan LLC's Motion to Preclude Trial Testimony from Stephen Becker, Ph.D and portions of Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description was brought before this Court. Upon consideration of this motion and the supporting declaration of K. Nicole Williams filed in support of the motion, the Court finds that good cause and compelling reasons exist for sealing certain documents.

Good cause and compelling reasons having been shown, the Court finds that there exist overriding confidentiality interests that overcome the right of public access to the record for the subject documents as follows:

ECF or Exh. No.	Document	Portion(s) to Seal	Reason(s) for Sealing
ECF 348	Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description	Highlighted portions at page 2, lines 21-22; page 3, lines 16-19, 21-22; page 4, line 8	The highlighted portions of this document reflect information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order (ECF No. 68), and from which confidential information regarding SonicWall's accused products could potentially be discerned.
Exh. A (ECF 348-2)	Excerpts from the Expert Report of Dr. Avi Rubin Regarding Invalidity of U.S. Patent No. 8,225,408, U.S. Patent No. 7,975,305, U.S. Patent No. 7,613,926 and U.S. Patent No. 6,965,968 dated September 4, 2020	Entirety	This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order.
Exh. B (ECF 348-3)	Excerpts from the Expert Report of Dr. Kevin Almeroth on Invalidity of U.S.	Entirety	This document was designated by SonicWall as "Highly Confidential – Attorneys' Eyes Only"

	Patent Nos. 6,154,844 and 8,141,154 dated September 4, 2020		pursuant to the Stipulated Protective Order.
Exh. C (ECF 348-4)	Excerpts from the Expert Report of Dr. Patrick McDaniel Regarding the Invalidity of the '494 and '780 Patents dated September 4, 2020	Entirety	This document was designated by SonicWall as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order.
Exh. D (ECF 348-5)	Excerpt from the Deposition Transcript of Avi Rubin, Ph.D. taken October 29, 2020	Entirety	This deposition transcript was designated by SonicWall as "Highly Confidential" pursuant to the Stipulated Protective Order.
Exh. F (ECF 348-7)	Excerpt from the Deposition Transcript of Patrick McDaniel, Ph.D. taken October 23, 2020	Entirety	This deposition transcript was designated by SonicWall as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order.
ECF 350	Finjan LLC's Motion to Preclude Trial Testimony from Stephen Becker, Ph.D.	Highlighted portions at page 3, lines 21-24; page 4, lines 9-11	The highlighted portions of this document reflect information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall's accused products could potentially be discerned.
Exh. A (ECF 350-2)	Excerpts from the Expert Report of Stephen L. Becker, Ph.D. on Behalf of Defendant dated October 9, 2020	Entirety	This document was designated by SonicWall as "Confidential – Outside Counsel Only" pursuant to the Stipulated Protective Order. Confidential information regarding SonicWall's accused products could potentially be discerned from this document.
Exh. B (ECF 350-3)	Excerpts from the Errata to Expert Report of Stephen L. Becker,	Entirety	This document was designated by SonicWall as "Confidential – Outside

	Ph.D. on Behalf of Defendant dated October 28, 2020		Counsel Only” pursuant to the Stipulated Protective Order. Confidential information regarding SonicWall’s accused products could potentially be discerned from this document.
Exh. C (ECF 350-4)	Excerpts from the Deposition Transcript of Stephen Becker, Ph.D. taken October 29, 2020	Entirety	This deposition transcript was designated by SonicWall as “Confidential – Outside Counsel Eyes Only” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could potentially be discerned.
Exh. D (ECF 350-5)	Excerpts from the Expert Report of DeForest McDuff, Ph.D. dated September 4, 2020	Entirety	This document reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could potentially be discerned.
Exh. E (ECF 350-6)	Plaintiff Finjan, Inc.’s Third Supplemental Objections and Responses to Defendant SonicWall, Inc.’s First Set of Interrogatories (No. 6) dated July 31, 2020	Entirety	This document reflects information regarding Finjan’s internal business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. <i>See</i> Declaration of K. Nicole Williams in Support of SonicWall’s Administrative Motion to File Under Seal (“Williams Decl.”) ¶ 7.

			This document also reflects information SonicWall has designated “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order, and from which confidential information regarding SonicWall’s accused products could potentially be discerned.
Exh. F (ECF 350-7)	Excerpts from the Supplement to Expert Report of Stephen L. Becker on Behalf of Defendant dated December 22, 2020	Entirety	This document was designated by SonicWall as “Confidential – Outside Counsel Only” pursuant to the Stipulated Protective Order. Confidential information regarding SonicWall’s accused products could potentially be discerned from this document.

The Court also finds that a substantial probability exists that the overriding confidentiality interests will be prejudiced absent sealing, the sealing is narrowly tailored, and no less restrictive means exist to achieve these overriding interests.

IT IS THEREFORE ORDERED that Finjan’s Omnibus Administrative Motion to File Under Seal be, and hereby is, GRANTED with respect to the documents as set forth above.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Hon. Beth Labson Freeman  
U.S. District Judge